

C H A P.
I.

and take such Oath, he shall, for the said Offence, forfeit and pay Four Thousand Eight Hundred Pounds of Tobacco: And if any Master or Commander of any Ship or Vessel, shall take on board, or suffer to be taken on board the Ship or Vessel whereof he is Master, any Tobacco brought from any other Place, than some or one of the public Warehouses herein after mentioned, or any Hoghead, Cask or Case of Tobacco, not stamped by some lawful Inspector, or shall suffer to be brought on board, any Tobacco, except in Hogheads, Casks or Cases, stamped as aforesaid, every such Master and Commander shall forfeit and pay Four Thousand Eight Hundred Pounds of Tobacco for every Hoghead, Cask or Case of Tobacco, which shall not have been brought from one of the public Warehouses, or which shall not be stamped as aforesaid; and moreover, every such Hoghead, Cask or Case of Tobacco, shall be forfeited.

No Tobacco
to be taken
on board any
Sloop, Boat,
&c. in Bulk
or Parcels.

Penalty and
Punishment
of Persons
conniving at
the taking on
board such
Tobacco.

IV. And forasmuch as the permitting Tobacco in Bulk or Parcels to be Water-born, on Pretence of being carried to the Warehouses established by this Act, may give great Opportunity to the clandestine Running the same on board the Ships lying at or near the said Warehouses, whereby the Evil of exporting trash Tobacco may be still continued; Be it further Enacted by the Authority aforesaid, That if any Person, taking upon himself to carry any Tobacco to or from any of the said Warehouses, in his Sloop, Boat, or other Vessel, for Hire, shall presume to take on board, or permit or suffer to be taken on board, any Tobacco whatsoever, in Bulk or Parcels, such Tobacco shall not only be forfeited, and may be seized by any Person or Persons whatsoever; but such Master or Skipper offending herein shall forfeit and pay Two Hundred and Forty Pounds of Tobacco for every Hundred Pounds weight of such Tobacco, and so proportionably for a greater or lesser Quantity: And the Master or Commander of any Ship or Vessel wherein any Tobacco in Bulk or Parcels shall be found, shall, over and above the Forfeiture thereof, be liable to the same Penalty: To be recovered, if it doth not exceed Twelve Hundred Pounds of Tobacco, before any Three Justices of the Peace, of any County near the Place where such Ship, Sloop, Boat, or other Vessel shall lie; and if it exceeds Twelve Hundred Pounds of Tobacco, in any Court of Record, by Action of Debt, wherein the Plaintiff shall recover Costs. And every Servant, Slave, or other Person, employed in navigating any such Sloop, Boat, or other Vessel, who shall connive at, or conceal, the taking or receiving on board any Tobacco in Bulk or Parcel as aforesaid, shall, by Order of any one Justice, receive on his bare Back, Thirty-nine Lashes, well laid on: And if such Sloop, Boat, or other Vessel, be under the Care and Management of a Servant who cannot satisfy and pay the said Penalty, then such Servant, and every other Person employed under him, who shall be guilty of conniving at, or concealing, the taking on board Tobacco in Bulk or Parcel as aforesaid, shall, upon Complaint thereof made to any Justice of the Peace, have and receive, by Order of the said Justice, Thirty-nine Lashes, well laid on. And if such Servant shall be again trusted with the Care and Management of any Sloop, Boat, or other Vessel, and shall be convicted a second Time of taking or receiving on board the same, any Tobacco in Bulk or Parcel, contrary to the Directions of this Act, the Owner of such Servant shall forfeit and pay the like Sum of Two Hundred and Forty Pounds of Tobacco for every Hundred Pounds weight of such Tobacco, and so in Proportion for a greater or less Quantity, so taken or received on board in Bulk or Parcel; and shall also forfeit and pay Sixty Pounds of Tobacco for every Day such Servant shall thereafter be employed as Skipper or Master of any Sloop, Boat, or other Vessel, to him belonging: To be recovered and applied as aforesaid.

Proviso, in
regard to To-
bacco for the
Payment of
Levies,
Debts, &c.

V. Provided always, That nothing herein before contained, shall be construed to prohibit any Person from carrying, or causing to be carried, to the said Warehouses, in any Boat or other Vessel, any Tobacco in Bulk or Parcels.